

REMARKS/ARGUMENTS

Claims 21-28 are pending in the application. Claims 21-28 are rejected. No claims are allowed. Claim 21 has been amended. Entry of the amendment, reconsideration of the rejection, and allowance of claims 21-28 are requested.

Applicants gratefully acknowledge that the rejections of claims 21-22 and 24 under 35 U.S.C. §101, and claims 21-28 under 35 U.S.C. §112, first paragraph, have been withdrawn.

The Amendment

In order to expedite prosecution of the application, the specification and claims have been amended. No new matter was introduced by this amendment.

The specification has been amended to correct for the appropriate Sequence ID Numbers on pages 8 and 9.

Claim 21 has been amended to delete the term "specifically" before the term "binds" in order to comply with the Examiner's suggestion and place the application in condition for allowance.

Nucleotide and Amino Acid Sequences

The Office Action indicates that the appropriate SEQ ID NOS must be recited on pages 8 (lines 12, 13, 24, 25, 26 and 27) and 9 (lines 4, 5, 14 and 15) of the specification for Figures 1-3. The specification has been amended accordingly and the appropriate SEQ ID NOS have been inserted as indicated (see "Amendments to the Specification", *supra*). Thus, withdrawal of this objection is respectfully requested.

Oath or Declaration

The Office Action indicates that a complete *post office address* is required as stated in 37 C.F.R. 1.33(a) and that the address may be provided in form of an *application data sheet* or supplemental oath or declaration. Accordingly, an *application data sheet* with the current *post office addresses* of the inventors is attached to this amendment and provided herewith.

Rejection under 35 U.S.C. §112

Claims 21-28 are rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite. The Office Action indicates that the term "specifically binds" in claim 21 is a relative term which allegedly renders the claim indefinite. It is further suggested that deleting the term "specifically" from the claim should obviate this rejections and place the application in condition for allowance.

Claim 21 has been amended to delete the term "specifically" from the claim. However, this amendment is made to advance the case toward allowance and should not be construed as an acquiescence in the rejection. It is stated for the record that the term "binding" in the context of the present invention is a term of art which refers to the *specific binding* of an antibody to its cognate antigen, and that the deletion of "specifically" from the claims does not change the scope of the claims. Claims 22-28 depend directly or indirectly on amended claim 21.

In light of the this amendment, Applicants respectfully request that the rejection of claims 21-28 under 35 U.S.C. §112, second paragraph, be withdrawn.

Appl. No. 09/766,396
Amdt. dated May 11, 2004
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group

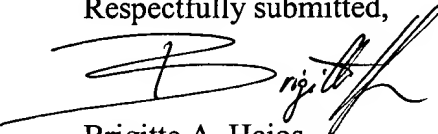
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brigitte A. Hajos', is written over the typed name.

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